

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

vs.

Case No. 03: 99CR00077-010(JAF)

GERONIMO CARLOS PIZARRO-CALDERON

*** * * * ***

MOTION IN RESPONSE TO COURT ORDER DATED FEBRUARY 1, 2007

**TO THE HONORABLE JOSE A. FUSTE, CHIEF
U.S. DISTRICT COURT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, Brenda Lee Nieves-Rodríguez, U.S. Probation Officer of this Honorable Court, providing a response to the petition made by Mr. Gerónimo Pizarro-Calderón in compliance to the Order issued by Your Honor on February 1, 2007.

RESPECTFULLY INFORMING TO THE COURT AS FOLLOWS:

That the U.S. Probation Office objects to Mr. Pizarro's petition for early termination based on the following events:

1. Mr. Pizarro tested positive to cocaine on August 29, 2006, the same was confirmed by Scientific Laboratories on September 2, 2006. He was placed on Phase I of the urine collection program. On September 18, 2006, he tested positive again to cocaine. This sample was also confirmed on September 21, 2006. He has stalled on various occasions. His most recent stall was on January 31, 2007.

As a preventive measure, Mr. Pizarro was placed on Phase I of the urine collection program. He was reprimanded and warned as to the legal repercussions of using drugs as the physical effects of continued drug use. Since placed on the urine collection program, Mr. Pizarro has failed to report (stalled on various occasions.

2. The offender has on more than one instance submitted his Monthly Status Report (MSR) late.

Based upon the above mentioned, it appears that the offender is not totally committed to the supervision process and should not benefit from early termination.

WHEREFORE, we respectfully submit our response to your Honor for whatever action the Court may deem appropriate.

In San Juan, Puerto Rico, this 5th day of February 2007 .

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

José A. Soto, Supervising
U.S. Probation Officer

BLNR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date I mailed a copy of the foregoing motion to Sonia Torres, Assistant U.S. Attorney, 350 Chardón Tower, 1201, San Juan PR 00918.

José A. Soto, Supervising
U.S. Probation Officer

BLNR